

The Honorable John H. Chun
The Honorable Michelle L. Peterson

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AMAZON.COM, INC., a Delaware
corporation; and AMAZON.COM SERVICES
LLC, a Delaware limited liability company,

Plaintiffs,

v.

YAN LI, an individual; and XIWEI CHEN, an
individual; and DOES 1-10,

Defendants.

No. 2:23-cv-00486-JHC-MJP

**DECLARATION OF ONG QIU YI IN
SUPPORT OF PLAINTIFFS' *EX PARTE*
MOTION FOR ALTERNATIVE
SERVICE**

I, Ong Qiu Yi, declare and state as follows:

1. I am over the age of 18 and competent to testify to the matters stated herein. I have been employed by Amazon.com, Inc. ("Amazon"), or its subsidiaries, since 2017. I have personal knowledge of the facts in this declaration or have acquired this knowledge through my review of records kept in the regular course of business. The statements made below are true to the best of my knowledge and belief. I make them in support of Plaintiffs' *Ex Parte* Motion for Alternative Service.

2. My current role is Senior Risk Manager for the Amazon Counterfeit Crimes Unit where I am responsible for investigating bad actors suspected of selling counterfeit products in the Amazon's stores. Before this role, I was the Senior Risk Manager for Customer Brand Protection. The Amazon Counterfeit Crimes Unit is a global team dedicated to pursuing bad

1 actors such as Defendants here and holding them accountable to the fullest extent of the law,
2 including working with law enforcement and pursuing civil lawsuits.

3 3. Amazon has developed a suite of intellectual property-protection mechanisms for
4 rightsholders to submit requests for removal of content that the rightsholders believe violates
5 their intellectual property rights. One of Amazon's intellectual property-protection services is
6 Amazon Brand Registry, which provides brands who enroll with access to advanced capabilities
7 to find and report copyright and trademark infringement violations in the Amazon Store.
8 Amazon also invests heavily to protect its third-party selling partners and to ensure that
9 Amazon's intellectual property-protection measures are not abused by bad actors, so that listings
10 of non-infringing products remain active and available for purchase by Amazon customers.


11 4. In order to create an Amazon Brand Registry account, rightsholders must
12 demonstrate that they have an active trademark registration or, in some circumstances, a pending
13 trademark application. On or about August 15, 2021, an Amazon Brand Registry account bearing
14 the account number 1410247 was created using the European Union Intellectual Property Office
15 trademark registration for "Vivcic" (filing number 018292374, the "Vivcic Trademark")
16 ("Vivcic Brand Registry Account"). While an applicant for an Amazon Brand Registry account
17 is not required to own or operate a selling account in the Amazon Store, a selling account owner
18 can link their Brand Registry account to their selling account. Amazon's subsequent
19 investigation revealed that the operators of the Cunc Ylo selling account (the "Cunc Ylo Selling
20 Account") had linked this Selling Account to the Vivcic Brand Registry Account when they
21 opened the Brand Registry Account.

22 5. Amazon's investigation determined that the person registering the Cunc Ylo
23 Selling Account provided Amazon with an identity document with Yan Li's name. The operators
24 of the Cunc Ylo Selling Account also provided the following email address to Amazon when
25 they created the Cunc Ylo Selling Account: yolandayan123@outlook.com (the "Selling Account
26 Email Address.") Like all sellers in the Amazon Store, the operators of the Cunc Ylo Selling
27 Account registered the Selling Account Email Address in order to create their Selling Account,

1 access Amazon's Seller Central,¹ and conduct business through their Selling Account. The
2 Selling Account Email Address was the primary means of communication between Amazon and
3 the Cunj Ylo Selling Account. In order to facilitate further investigation into Defendants'
4 identities and whereabouts, I provided Amazon's counsel at Davis Wright Tremaine with the
5 identification, contact, and banking information that the operators of the Cunj Ylo Selling
6 Account provided to Amazon when they registered the Account, as well as information reflecting
7 the IP networks used to log in to the Account.

8
9 I declare under penalty of perjury that the foregoing is true and correct to the best of my
10 knowledge.

11
12 EXECUTED this 28th day of May, 2024 in Singapore.

13
14 
15 _____
16 Ong Qiu Yi

17
18
19
20
21
22
23
24
25
26
27 ¹ "Seller Central" is the online portal that sellers use to access their selling accounts, list products for sale, manage sales and inventory, track payments and returns, and manage advertising programs, among other things.